IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22814 of 2004

Between:

Thirumuru Murali Mohan Reddy, S/o. Sesha Reddy,
R/o. Amancherla Village, Nellore Rural Mandal, Nellore District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Nellore District.
2 The Revenue Divisional Officer, Nellore District.
3 The District Collector, Nellore District.
4 Syed Anwar Basha, S/o. Khader Basha,
R/o. Ranganakulapeta, Nellore District.

..RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, direction or order more particularly one in the nature of Writ of Mandamus declaring he order passed by the 1st respondent in Rc.B.1458/2004, dated 21-09-2004 as the same is illegal, arbitrary and contrary to provisions of A.P. Assigned lands (Prohibition of Transfer) Act, 1977 and also violative of Articles 14, 21 & 300-A of the Constitution of India and pass such other orders

Counsel for the Petitioner:MR.M.SUBRAHMANYAM

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for Respondent No.4: None

The Court made the following :

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

In this writ petition, the petitioner is questioning the order dated 21.9.2004 made in Rc.B.No.1458/2004 by the 1st respondent. Admittedly, against the said orders an appeal lies to the Revenue Divisional Officer and without availing the effective alternative remedy, the petitioner has straight away approached this Court.

In the circumstances, without going into the merits of the case, the writ petition is disposed of directing the petitioner to avail the alternative remedy of filing an appeal before the Revenue Divisional Officer who shall consider and dispose of the appeal in accordance with law as expeditiously as possible. Till then, status quo obtaining as to day shall be maintained.

No costs.

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N.V.RAMANA,J

Note: Furnish CC by tomorrow

(B/o)

msv.

To

1 The Mandal Revenue Officer, Nellore District.
2 The Revenue Divisional Officer, Nellore District.
3 The District Collector, Nellore District.
4. 2 CCs to GP for Revenue, High Court of A.P. Hyderabad (OUT)

5. 2 CD copies.